



JPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Akihiko NISHIO, et al.

Application No.: 10/540,401

Filed: June 23, 2005

For: RADIO COMMUNICATION APPARATUS AND RADIO  
COMMUNICATION METHOD

CERTIFICATION UNDER 37 CFR §1.97(e)(1)

Assistant Commissioner of Patents  
Washington, DC 20231

Dear Sir:

In fulfillment of 37 CFR 1.97(c)(1) and 1.97(e)(1), it is hereby certified that each item of information contained in the attached Information Disclosure Statement was first cited in any communication (see the attached copy of a Japanese Office Action dated March 4, 2008) from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Respectfully submitted,

James E. Ledbetter  
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Date: June 4, 2008

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INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner of Patents  
Washington, DC 20231

Dear Sir:

Pursuant to Rules 56 and 99, Applicants hereby call the attention of the Patent Office to the documents listed on the attached Form PTO 1449. Each of these references was cited in the attached Japanese Office Action dated March 4, 2008

Applicants present this art so that the Patent Office may, in the first instance, determine any relevancy thereof to the presently claimed invention, see Beckman Instruments, Inc. v. Chemtronics, Inc., 439 F.2d 1369, 1380, 165 USPQ 355, 364 (5th Cir. 1970). Also see Patent Office Rules 104 and 106. Applicants respectfully request that this art be expressly considered during the prosecution of this application and made of record herein and appear among the "References Cited" on any patent to issue herefrom.

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James E. Ledbetter  
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